

Notice of Violation Pursuant to Requirements
of the Resource Conservation and Recovery Act (RCRA)

TO: Facility Name: CLIMAX MOLYBDENUM COMPANY
Address: 2598 HWY 61
Fort Madison, IA 52627
EPA ID Number: IAD000222653 Date: 6-24-03

This notice is provided to call your attention to the following areas of noncompliance with state and federal regulations. This notice does not constitute a compliance order (Administrative Civil Complaint) pursuant to Section 3008 of RCRA and may not be a complete listing of all violations resulting from the the inspection.

<u>Citation</u>	<u>Description of Violation</u>
<u>1) 40 CFR 273.13(d)(2)</u>	<u>UNIVERSAL WASTE CONTAINERS NOT</u> <u>CLOSED</u>
<u>2) 40 CFR 273.14(e)</u>	<u>UNIVERSAL WASTE CONTAINERS NOT LABELED</u>
<u>3) 40 CFR 273.15(c)</u>	<u>UNIVERSAL WASTE NOT DATED</u>
<u>4) 40 CFR 262.11</u>	<u>FAILURE TO MAKE HAZARDOUS WASTE</u> <u>DETERMINATION ON WASTE SUPPLY</u> <u>SAKES</u>

You are requested to submit a written response within **14 calendar days** of receipt of this notice. Your response should include a description of all corrective actions taken and/or a schedule for completing the necessary corrective actions. The response should be submitted to:

U. S. Environmental Protection Agency, Region VII
Federal Building
210 Walnut Street, Room 473
Des Moines, IA 50309-2109
ATTN: GARY R. WITKOVSKI

If you have any questions about this Notice or wish to discuss your response, you may call me at
(515) 284-4029, or JIM AYACOCK (Compliance Officer) at
(913) 551-7887.

This Notice prepared by GARY R. WITKOVSKI Date: 6-24-03

The undersigned person acknowledges that he/she has received a copy of this Notice and has read same.

Printed Name: Shelly Heston Date: 6/24/03
Signature: Shelly Heston
Title: Manager Environmental Affairs



R00416290

RCRA RECORDS CENTER

Records Center Filing Form Instructions

COMPLIANCE OFFICER

1. Circle "YES" or "NO" to specify whether or not the document contains **non-releasable information**. (Non-releasable information may include confidential business and/or enforcement confidential information, personnel privacy information, or privileged information - the default response is "no").
2. Circle the name of **your Branch or Program**.
3. Circle the **Type of Document** (e.g., IRL, NOV, NOPF, or NOPV).
4. List the name of the **Facility or Company** that the IRL or Notice was issued to.
5. List the **Site** name (if applicable).
6. List the appropriate **Identification Number**, if applicable (e.g., RCRA ID#, CERCLA ID# etc.).
7. List the name of the **Person Submitting Document** for filing.
8. Identify the name of the **EPA Manager Signing Document** officially (remember to follow the appropriate delegation rules, some documents may only be officially signed by division directors).
9. List the **Date Sent** to the Records Center for indexing, scanning and filing.
10. Circle the **Statute** that the IRL or Notice was issued under. If the appropriate statute is not listed, indicate the appropriate acronym in the "other" field.
11. Circle the **Requirement** that the IRL or Notice was issued under.
 - a. **RCRA** Program, use: Generator, Transporter, TSDF, Used Oil, Combustor, and Corrective Action.
 - b. **Air** Program, use: NSPS, MACT, SIP, CFC, and NSR.
 - c. **Water** Program, use: NPDES-Municipal, NPDES-Industrial, OPA, Pretreatment-Municipal, Pretreatment-Industrial, Sludge, SSO, CSO, CAFO, and Stormwater.
 - d. **Other**, if the Requirement is not listed, specify in the "Other" field.
12. Circle or identify the **Regional or National Initiative** that the IRL or Notice was a part of, if applicable. If applicable, specify the name of the initiative.
13. Identify "**Keywords**" that may be useful to search for the document or within the document, for example: maintenance, purchase orders, requisitions, emissions data, etc.
14. List the official **Date Stamp Date** the IRL or Notice was date stamped or issued (mm/dd/yyyy).
15. List the **Response Due Date** for the IRL or Notice.
16. List the **Response Received Date** for the IRL or Notice (if you have not received a response prior to sending the document to the Records Center, up-date this field upon receipt of the Quarterly IRL/NOV Tracking Report as outlined in steps E.3.a.(1) and G.2 of this SOP).

RECORDS CENTER

1. The PDF Document Summary meta-data, consisting of **Title**, **Subject**, **Author**, and **Keywords**, will be completed using the following line items on "Records Center Filing Form."
 - a. **Title**, use lead Branch or Program in #2 and, if listed, the initiative in #12.
 - b. **Subject**, use name listed in #4, if #4 is blank, use name in #5.
 - c. **Author**, use name identified in #8.
 - d. **Keywords**, at a minimum, the following keywords will be entered in the Keywords field:
 - First**, list the statute (#10) **Second**, list the specific requirements (#11)
 - Third**, specify "Region 7" as the issuing office **Fourth**, list the Facility or Company name (#4 or #5)
 - Fifth**, list the date Response was received (#16) **Last**, list any additional information identified in #12 and #13

RECORDS CENTER FILING FORM

for

Information Request Letters and Notices (NOVs, NOPFs, and NOPVs)

Complete one form per original document. (Please see instructions on the back of this form.)

1. Document contains NON-RELEASABLE information (circle one): YES NO
2. Program or Branch (circle one):

<u>RCRA</u>	Superfund	ENSV/DISO	ENSV/NEPA	ARTD/RALI
ARTD/CRIB	ARTD/APDB	ARTD/APCO	WWPD/DWGW	WWPD/GPCB
WWPD/NFMB	WWPD/PEST	WWPD/WRPB		
3. Type of document (circle one): INFO. REQUEST NOV NOPF NOPV
4. Facility or Company Name: Climax Molybdenum Company
5. Site Name, if no Facility or Company Name #4: _____
6. Identification Number (if applicable, RCRA I.D., CERCLA I.D., etc.): IAD000222653
7. Name of person submitting document for filing: M. Borushko
8. Name of EPA manager officially signing document: _____
9. Date document was submitted to Records Center (MM/DD/YYYY): 7 / 23 / 2003
10. Statute document was issued under (circle one): RCRA CAA CWA Other _____
11. Requirement document was issued under (circle one): Other _____

RCRA:	<u>Generator</u>	Transporter	TSDf	Used Oil	Combustor	Corrective Action
CAA:	NSPS	MACT	SIP	CFC	NSR	
CWA:	NPDES-Municipal	NPDES-Industrial	Pretreatment-Municipal	Pretreatment-Industrial		
	Sludge	OPA	SSO	CSO	CAFO	Stormwater
12. Initiative document was issued under, if applicable (specify one):
(name; eg. SSO, Wood Products 114s, etc) _____
13. Keywords for document to be searched under: NOV
14. Date or Date Stamp Date IRL or Notice was issued (MM/DD/YYYY): 6 / 24 / 03
15. Due Date for IRL or Notice response (MM/DD/YYYY): 7 / 8 / 2003
16. Response Received Date for IRL or Notice (MM/DD/YYYY): ____ / ____ / ____

FOR RECORDS CENTER PDF META-DATA FIELDS

Title: Use #2 and #12 if listed. **Subject:** Use #4, if blank, use #5. **Author:** Use #8.

Keywords: Statute (#10), Requirement (#11), Region 7, Company Name (use #4, if blank, use #5), Date Response Received (#16), and any additional information identified by the Compliance Officer (#13).